

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Smith International, Inc.,

Plaintiff,

VS.

The Egle Group, L.L.C.,

Don M. Egle,

and

Daniel Rees, as Trustee of the Trust for Michele A. Goethe Egle Trust for John M. Egle, Jr., and the Egle Trust for Lauren E. Egle,

Defendants.

CIVIL ACTION NO. H-04-4151

MEMORANDUM AND ORDER

After considering the parties' oral arguments at the hearing held today, November 15, 2005, the Court finds that Defendant Daniel Rees's motion for a 90-day continuance should be and hereby is **DENIED**. If Mr. Rees wishes to resubmit the motion, it must be accompanied by specific facts demonstrating his need for additional discovery before filing a response to Plaintiff's motion for summary judgment.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 15th day of November, 2005.

James P. Elliman

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**